

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

UNITED STATES OF AMERICA

v.

Case No.: 1:19cr00011-001

ADRIAN JOSE ROMERO

MOTION TO AMEND INDICTMENT

COMES NOW the defendant, Adrian Jose Romero, by counsel, and moves the Court to amend the indictment to remove “aka Joseph Wayne Green,” and “also known as Joseph Wayne Green,” and in support thereof, states as follows:

1. The Indictment identifies Adrian Jose Romero “aka Joseph Wayne Green,” in the style of the case, and “also known as Joseph Wayne Green,” in paragraph 1. (Doc. 5).
2. Adrian Jose Romero is scheduled to plead guilty pursuant to a written plea agreement on August 5, 2019. This motion is to amend the indictment before he enters the plea.
3. In discovery produced by the Government, the defendant’s criminal history has two dates of birth, one of which is the defendant’s correct date of birth, two social security numbers, one of which belongs to the defendant, and it indicates Joseph Wayne Green is a white male with a fair skin tone. The defendant is dark skinned.
4. The defendant was in high school with Joseph Wayne Green. They were arrested at the same time and while Joseph Wayne Green was passed out from intoxication the defendant was fingerprinted as Mr. Green by mistake. Consequently, the FBI assigned one number to both men.
5. The Government objects to this motion.

WHEREFORE, the defendant, Adrian Jose Romero, respectfully moves that his Motion to Amend Indictment be granted.

Respectfully submitted,
ADRIAN JOSE ROMERO
By Counsel

/s/ Helen E. Phillips
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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of July, 2019, I electronically filed the foregoing with the Clerk of this Court using the CM/ECF system which will send notification of such filing to counsel of record in this case.

/s/ Helen E. Phillips
Helen E. Phillips